



# CITY OF HAYWARD AGENDA REPORT

AGENDA DATE 10/13/98

AGENDA ITEM 3

WORK SESSION ITEM

TO: Mayor and City Council  
FROM: Director of Public Works  
SUBJECT: SOTO ROAD AND **WINTON** AVENUE SIDEWALK IMPROVEMENTS:  
APPROVAL OF COUNCIL CHANGE ORDER NO. 1

## Recommendation:

It is recommended that the City Council authorize a council change order for the **Soto** Road and **Winton** Avenue Sidewalk Improvement Project construction contract in the amount of \$29,500 to Vanguard Construction.

## Background/Discussion:

On June 9, 1998, the City Council awarded the construction contract for the **Soto** Road and **Winton** Avenue project to Vanguard Construction of Oakland. The work, in general, consists of installation of curb, gutter, and sidewalk on the **eastside** of **Soto** Road, from Orchard Avenue to 170 feet southerly, and on both sides of **Winton** Avenue, from Park Street to Grand Street. The construction work on the **Soto** Road portion is complete.

On the **Winton** Avenue portion, during the construction of the curb, gutter, and sidewalk, it was noted that to pave from the new gutter to the existing pavement at a suitable cross slope would require the removal and replacement of more pavement than was originally specified. Staff has negotiated the price for the extra work with the contractor and determined that to complete this extra work a change order for \$29,500 is required. Since this exceeds the available administrative change order amount included in the contract, a Council-approved change order is necessary, in accordance with the contract provisions. Presently there are several more change orders being finalized that will require the majority of the administrative change order amount of \$10,000 included in the original contract. Hence, these monies are not available to address the cross slope problem.

The design of the project was complicated by several factors. Some of the curbs were already in place and these had to be matched. Drainage also had to be accommodated in an area that is relatively flat. Also, if the curbs and sidewalks were raised, there would be significant difficulty in entering some of the driveways as well as maintaining drainage. Although it was thought the original design had addressed these issues, once construction of the curbs was accomplished it became evident that more adjustments to the paving would be required.

Since initial discovery last month of the problem, staff has been working to both design an appropriate fix as well as negotiate a price with the contractor. Approval of the change order will assure that further inconvenience to the residents in the area is reduced. It is anticipated that completion of this portion of the project can occur within two weeks after approval.

**Project Cost (including recommended increase):**

Construction	\$ 189,500
Design & Administration	32,000
Right-of-Way Acquisition	17,500
Work by City Crews	10,000
Construction Survey & Inspection	17,000
TOTAL	<u>\$ 266,000</u>

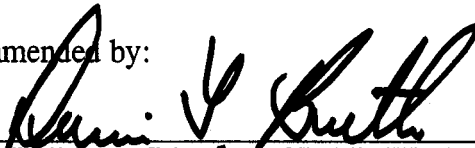
**Funding:**

The approved 1998-99 Capital Improvement Program budget included \$266,000 for these two projects in the Transportation System Improvement Fund. Therefore, no additional appropriation is required for this change order.

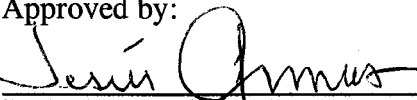
Prepared by:

  
Robert A. Bauman, Deputy Director of Public Works

Recommended by:

  
Dennis L. Butler, Director of Public Works

Approved by:

  
Jesús Armas, City Manager

**DRAFT**

BB 10/6/98

HAYWARD CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_

Introduced by Council Member \_\_\_\_\_

RESOLUTION APPROVING COUNCIL CHANGE ORDER  
NO. 1 TO PROJECT 5730, SOTO ROAD AND WINTON  
AVENUE SIDEWALK IMPROVEMENTS

The City Council of the City of Hayward hereby finds and determines as follows:

1. The City Council has awarded a contract for the **Soto Road Winton Avenue Sidewalk Improvements Project**, Project No. 5730 to Vanguard Construction; and
2. The contractor has noted that additional work will be required on the **Winton Avenue** portion of the Project; and
4. The cost of the additional work totals \$10,000 and exceeds the amount authorized in the contract; and
5. There are sufficient funds in the project budget to cover the cost of this additional work.

NOW, THEREFORE, BE IT RESOLVED that the City Council approves Change Order No. 1 to the contract for the **Soto Road and Winton Avenue Sidewalk Improvements Project 5730**.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 1998

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward